

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JAMES ANTHONY BARNETT, JR.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:16CV68
	)	
ALAMANCE REGIONAL MEDICAL	)	
CENTER, et al.,	)	
	)	
Defendants.	)	

**ORDER**

The Order and Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on February 2, 2016, was served on the parties in this action. (ECF Nos. 3, 4.) Petitioner objected to the Recommendation. (ECF No. 6.)

The Court has appropriately reviewed the portions of the Magistrate Judge's report to which objection was made and has made a de novo determination which is in accord with the Magistrate Judge's report. The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that this action be filed and DISMISSED *sua sponte* without prejudice to Plaintiff filing a Motion to Amend his Complaint in case 1:14CV732 or filing a medical malpractice action in the state courts. A Judgment dismissing this action will be entered contemporaneously with this Order.

This, the 3<sup>rd</sup> day of March, 2016.

/s/ Loretta C. Biggs  
United States District Judge